

IN THE UNITED STATES BANKRUPTCY
COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

In Re:

Gerasimos Stefanitsis aka Jerry Stephanitsis

Chapter: 13

Debtor(s)

Bankruptcy Case: 22-22507-cgm

OBJECTION OF REAL TIME RESOLUTIONS, INC., AS AGENT FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS REVOLVING HOME EQUITY LOAN ASSET BACKED NOTES, SERIES 2004-N (HEREINAFTER REFERRED TO AS "CREDITOR") TO DEBTOR(S)' CHAPTER 13 PLAN WITH RESPECT TO TREATMENT OF CREDITOR'S CLAIM IN THE FOLLOWING PROPERTY: 228 UNION AVENUE, HARRISON, NY 10528 (THE "PROPERTY")

Creditor, through its undersigned Counsel, who is duly authorized to practice before this Court, on behalf of Stern & Eisenberg, PC, respectfully requests that the Court deny confirmation of the most recent Plan filed by Debtor and in support thereof respectfully represent and affirms under penalty of perjury as follows:

1. Creditor is the holder of a Note and Mortgage executed by Debtor on June 16, 2004 in the amount of \$199,000.00. Said loan is secured by the real property owned by Debtor located at 228 Union Avenue, Harrison, NY 10528 (the "Property").
2. Debtor filed the instant Chapter 13 Bankruptcy on August 1, 2022 and as a result, any State Court proceedings, if any, were stayed.
3. Creditor objects to the Chapter 13 Plan for the following reasons:
 - a. The plan does not provide for the post-petition payments to be made to Creditor in accordance with the terms of the Note and Mortgage.
 - b. The plan does not provide for Creditor's claim in the amount of \$267,933.353.
4. By proposing to pay the Creditor as proposed, the Plan violates the standards of 11 U.S.C. 1325(a)(5)(B)(i).
5. These Objections are made in accordance with the Rules of Bankruptcy Procedure.

WHEREFORE Creditor respectfully requests this Court deny confirmation of the Chapter 13 Plan together with such other relief this Court deems necessary and appropriate.

Respectfully submitted,
Stern & Eisenberg, PC
BY: /s/ Peter A. Lawrence
Peter A. Lawrence, Esquire
Stern & Eisenberg, PC
plawrence@sterneisenberg.com
Bar Number: 4951836
Attorney for Creditor

Dated: December 7, 2022

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AFFIDAVIT OF SERVICE

I, Peter A. Lawrence, hereby affirms, under the penalty of perjury, that a true and correct copy of the within Objections of REAL TIME RESOLUTIONS, INC., AS AGENT FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS REVOLVING HOME EQUITY LOAN ASSET BACKED NOTES, SERIES 2004-N, together with Order, Notice and this Certificate, was sent by first class, postage prepaid mail on the Debtor Counsel and the Trustee and all other required parties in accordance with the Rules of Bankruptcy Procedure on the date set forth below.

Krista M. Preuss
399 Knollwood Road
White Plains, NY 10603
info@ch13kp.com
(BK Trustee)

Regular Mail
Notice of Electronic Filing (ECF)

Gerasimos Stefanitsis aka Jerry Stephanitsis
234 Union Avenue
Harrison, NY 10528

Regular Mail

Lawrence Morrison
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New York, NY 10013
lmorrison@m-t-law.com
(Debtor Counsel)

Regular Mail
Notice of Electronic Filing (ECF)

United States Trustee
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014
ustpreion02.br.ecf@usdoj.gov
(United States Trustee)

Regular Mail
Notice of Electronic Filing (ECF)

Respectfully submitted,
Stern & Eisenberg, PC
BY: /s/ Peter A. Lawrence
Peter A. Lawrence, Esquire
Stern & Eisenberg, PC
plawrence@sterneisenberg.com
Bar Number: 4951836
Attorney for Creditor

Dated: December 7, 2022